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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN JOSE DIVISION

16 HTC CORPORATION and HTC  
17 AMERICA, INC.,  
18 Plaintiffs,  
19 v.  
20 TECHNOLOGY PROPERTIES  
LIMITED, PATRIOT SCIENTIFIC  
21 CORPORATION and ALLIACENSE  
LIMITED,  
22 Defendants.

Case No. 5:08-cv-00882 PSG

[Related to Case No. 5:08-cv-00877 PSG]

**REPLY IN SUPPORT OF EMERGENCY  
MOTION FOR ADDENDUM TO JURY  
INSTRUCTIONS**

Complaint Filed: February 8, 2008  
Trial Date: September 23, 2013

Date: September 20, 2013  
Time: 9:30 a.m.  
Place: Courtroom 5, 4th Floor  
Judge: Hon. Paul S. Grewal

1 To assist the Court in locating the intrinsic records of the '336 patent when considering  
2 HTC's Emergency Motion for Addendum to Jury Instructions (Dkt. 590), the following citations  
3 to the docket are brought to the Court's attention:

4 **1. Regarding the Magar Reference:**

5 "[T]he Magar microprocessor clock is **frequency controlled** by a crystal which is also  
6 external to the microprocessor. ... The Magar microprocessor in no way contemplates a variable  
7 speed clock as claimed." Dkt. No. 457-13, Ex. 6 to Chen Decl. iso MSJ, 7/7/1997 Amendment at  
8 3-4 (TPL853\_00002427-28) (emphasis added).  
9

10 "The Magar teaching is well known in the art as a conventional **crystal controlled**  
11 **oscillator**. It is specifically distinguished from the instant case in that it is **both fixed frequency**  
12 **(being crystal based)** and **requires an external crystal or external frequency generator.**"  
13 Dkt. No. 457-14, Ex. 7 to Chen Decl. iso MSJ, 2/10/1998 Amendment at 5 (TPL853\_00002403)  
14 (emphasis added).

15 "**[W]hile most of Magar's clock (generator) circuitry is on the IC,** the entire oscillator,  
16 which because it requires an external crystal, is not." *Id.* at 4 (TPL853\_00002402)  
17 (emphasis added).

18 **2. Regarding the Sheets Reference:**

19 "Even if the examiner is correct that **the variable clock in Sheets is in the same**  
20 **integrated circuit as the microprocessor of system 100,** that still does not give the claimed  
21 subject matter. In Sheets, **a command input is required to change the clock speed.**" Dkt. No.  
22 457-17, Ex. 10 to Chen Decl. iso MSJ, 1/8/1997 Amendment at 4) (TPL853\_00002449)  
23 (emphasis added).  
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1 Dated: September 20, 2013

Respectfully submitted,

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